

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

v.

JOHN DRAGO,

Defendant.

Criminal No. 18 Cr. 394 (SJF)

NOTICE OF MOTION

PLEASE TAKE NOTICE that upon the annexed Declaration of David Siegal, dated, November 30, 2018 and the exhibits thereto, and the accompanying Memorandum of Law dated November 30, 2018, defendant John Drago will move this Court, before Judge Sandra J. Feuerstein, United States District Judge, on a date to be determined by the Court, for an Order to: (a) suppress evidence seized pursuant to a search warrant executed by the Internal Revenue Service (“IRS”) on or about August 6, 2013 at his company’s office; (b) suppress evidence obtained from his cell phone, which was seized at the time of his arrest, on or about August 1, 2018; (c) dismiss the Indictment (or certain Counts) on various grounds including for duplicity, failure to state an offense, and for pre-indictment delay; (d) obtain from the Government a bill of particulars and *Brady* and *Giglio* materials, and for such other and further relief as the Court deems just and proper.

PLEASE TAKE FURTHER NOTICE that pursuant to the Court’s Order, any opposing affidavits and answering memoranda of law must be served by December 21, 2018 and any replies to the opposing affidavits and answering memoranda of law must be served by January 3, 2019.

Dated: November 30, 2018

MINTZ LEVIN COHN FERRIS
GLOVSKY AND POPEO, P.C.

By: /s/ David M. Siegal

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